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ART UNIT	PAPER NUMBER
2623	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/773,166	DOI ET AL.
	Examiner	**Art Unit**	
	Jason K. Lin	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 May 2007*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *5 and 7-17* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *5 and 7-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1.   This office action is responsive to amendment of application No. 10/773,166 filed

on 05/16/2007. **Claims 1-4, and 6** are cancelled and **Claims 5 and 7-17** are pending

and have been examined.

Response to Arguments

2.   Applicant's arguments with respect to **claims 5 and 7-17** have been considered

but are moot in view of the new ground(s) of rejection. Although a new ground of

rejection has been used to address additional limitations that have been added to the

claims, a response is considered necessary for applicant's arguments.

Regarding remarks on p. 11: lines 10-14 where applicants assert that '931', '919',

'997', and '155' patents fails to remedy the deficiencies of the '844', '642', and '259'

patents with regards tot the means for adding televisual programs from other than a

classified category, based on contents of transactions for goods made by another user

having a taste similar to that of a user, as recited in amended Claim 5.

Although applicant's arguments are understood, they are not persuasive for the

following reasons:

Alexander ('931') addresses the recited limitations (See Alexander - Col 29: lines

31-55 teaches updating based on viewing history. Col 30: lines 21-24, 34-35, teaches

updating based on purchase history. Col 30: lines 45-58 teaches generating an EPG

based on viewer profile. Col 30: lines 38-44 teaches similar viewer profiles from other

users {also includes other users purchases and viewing selections} are compared and

based on comparison analysis it can determine the subjects, theme, movie, episode, etc

that the viewer would be interested in).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   **Claims 5 and 12-17** rejected under 35 U.S.C. 103(a) as being unpatentable over

Rauch et al. (US 5,731,844) in view of Merjanian (US 5,92,642), and further in view

Alexander (US 6,177,931).

Consider **claim 5**, Rauch teaches an apparatus for providing additional

services for televisual programs to be distributed by broadcasting, comprising:

an electronic program guide (EPG) ("Program information" referred to in

Rauch is the same as the claimed EPG because it contains program name, time

of broadcast, channel indicator and description of each television program as

stated in col 5: lines 6-8) generation unit (graphics display generator 157,

generates graphics) configured to generate an EPG ("Program information"

referred to in Rauch is the same as the claimed EPG because it contains

program name, time of broadcast, channel indicator and description of each

television program as stated in col 5: lines 6-8) in which televisual programs to be

provided are classified into classified categories based on viewer features

according to tastes of users (The information is arranged in an "adaptively

learned order" arranging topics such as show, actor, director, etc as stated in col

12: lines 25-29 is the same as the claimed classified categories. It is according

to tastes of users because it is arranged according to the frequency of previous

selections as stated in col 2: lines 28-31 and col 3: lines 41-63. Furthermore

"selection patterns can be monitored... channel entries rearranged based on the

results of that monitoring" as stated in col 6: lines 52-57 allowing the device to

know viewer preferences) to allow selection of a televisual program in

accordance with the classified categories based on viewer features (As stated in

col 2: lines 35-46, "the user can select a television program perceptively by

viewing the adaptively ordered schedule layout" via a selection program col 5:

lines 14-17, wherein "adaptively ordered" also stated in col 12: lines 25-29 is the

same as the claimed classified categories explained previously above); and

    an update unit configured to update the EPG on the basis of a similarity

between televisual programs selected by the users (col 9: lines 46-49 discloses

the schedule information resides at the cable source and is obtained as needed

by the computer 100 in real time. The only difference here is that the information

can be taken whenever it's needed, but it still falls within the same embodiment

where "selection patterns can be monitored... channel entries rearranged based

on the results of that monitoring" as stated in col 6: lines 52-57).

    Rauch does not explicitly teach a personal authentication unit arranged at

a portion where a finger of a viewer comes into contact with a remote controller;

wherein said update unit includes:

means for adding televisual programs from other than a classified

category, based on contents of transactions for goods made by another user

having a taste similar to that of a user, to the EPG to be commonly provided to all

the users, on the basis of the similarity between televisual programs selected by

the users.

In the same field of endeavor, Merjanian teaches a personal

authentication unit (Fig. 7) arranged at a portion where a finger of a viewer

comes into contact with a remote controller (col 8: lines 8-22 discloses that "the

platen 30 is exposed so that finger print data may be acquired from the

operator's digit 32").

Therefore, it would have been obvious to a person of ordinary skill in the

art to modify Rauch's system to include a personal authentication unit arranged

at a portion where a finger of a viewer comes into contact with a remote

controller, as taught by Merjanian, for the advantage of allowing for

authentication of various users, providing users with their personal preferences

on what they prefer to view (Merjanian - col 3: lines 27-53), making the program

selection process easier and less cumbersome for the user.

Rauch and Merjanian do not explicitly teach wherein said update unit

includes:

means for adding televisual programs from other than a classified

category, based on contents of transactions for goods made by another user

having a taste similar to that of a user, to the EPG to be commonly provided to all

the users, on the basis of the similarity between televisual programs selected by

the users.

In an analogous art, Alexander teaches means for adding televisual

programs from other than a classified category, based on contents of

transactions for goods made by another user having a taste similar to that of a

user, to the EPG to be commonly provided to all the users, on the basis of the

similarity between televisual programs selected by the users (Col 29: lines 31-55

teaches updating based on viewing history. Col 30: lines 21-24, 34-35, teaches

updating based on purchase history. Col 30: lines 45-58 teaches generating an

EPG based on viewer profile. Col 30: lines 38-44 teaches similar viewer profiles

from other users {also includes other users purchases and viewing selections}

are compared and based on comparison analysis it can determine the subjects,

theme, movie, episode, etc that the viewer would be interested in).

Therefore, it would have been obvious to a person of ordinary skill in the

art to modify the system of Rauch and Merjanian to include adding televisual

programs from other than a classified category, based on contents of

transactions for goods made by another user having a taste similar to that of a

user, to the EPG to be commonly provided to all the users, on the basis of the

similarity between televisual programs selected by the users, as taught by

Alexander, for the advantage of identifying a greater variety of programs that will

suit the needs of the viewers and presenting them with pertinent programming

information.

Consider **claim 12**, Rauch et al. teaches an apparatus for providing

additional services for televisual programs to be distributed by broadcasting,

comprising:

an electronic program guide (EPG) generation unit configured to generate

an EPG in which televisual programs to be provided are classified into classified

categories based on viewer features according to tastes of users (The

information is arranged in an "adaptively learned order" arranging topics such as

show, actor, director, etc as stated in col 12: lines 25-29 is the same as the

claimed classified categories. It is according to tastes of users because it is

arranged according to the frequency of previous selections as stated in col 2:

lines 28-31 and col 3: lines 41-63. Furthermore "selection patterns can be

monitored... channel entries rearranged based on the results of that monitoring"

as stated in col 6: lines 52-57 allowing the device to know viewer preferences) to

allow selection of a televisual program in accordance with the categories (As

stated in col 2: lines 35-46, "the user can select a television program perceptively

by viewing the adaptively ordered schedule layout" via a selection program col 5:

lines 14-17, wherein "adaptively ordered" also stated in col 12: lines 25-29 is the

same as the claimed classified categories explained previously above); and

an update unit (col 9: lines 46-49 discloses the schedule information resides at the cable source and is obtained as needed by the computer 100 in real time) configured to update the EPG on the basis of a similarity between a taste of a user and a televisual program (The information is arranged in an "adaptively learned order" arranging topics such as show, actor, director, etc as stated in col 12: lines 25-29 is the same as the claimed classified categories. It is according to tastes of users because it is arranged according to the frequency of previous selections as stated in col 2: lines 28-31 and col 3: lines 41-63. Furthermore "selection patterns can be monitored... channel entries rearranged based on the results of that monitoring" as stated in col 6: lines 52-57 allowing the device to know viewer preferences), which is determined from contents of transactions of the user by communication (The process described in col 11: lines 29-37 and col 12: lines 7-20 pertain to an exchange of information done by user selection which is the same as the claimed transactions of the user by communication).

Rauch does not explicitly teach a personal authentication unit arranged at a portion where a finger of a viewer comes into contact with a remote controller;

wherein said update unit includes:

means for adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, to the EPG to be commonly provided to all

the users, on the basis of the similarity between televisual programs selected by the users.

In the same field of endeavor, Merjanian teaches a personal authentication unit (Fig. 7) arranged at a portion where a finger of a viewer comes into contact with a remote controller (col 8: lines 8-22 discloses that "the platen 30 is exposed so that finger print data may be acquired from the operator's digit 32").

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Rauch's system to include a personal authentication unit arranged at a portion where a finger of a viewer comes into contact with a remote controller, as taught by Merjanian, for the advantage of allowing for authentication of various users, providing users with their personal preferences on what they prefer to view (Merjanian - col 3: lines 27-53), making the program selection process easier and less cumbersome for the user.

Rauch and Merjanian do not explicitly teach wherein said update unit includes:

means for adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, to the EPG to be commonly provided to all the users, on the basis of the similarity between televisual programs selected by the users.

In an analogous art, Alexander teaches means for adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, to the EPG to be commonly provided to all the users, on the basis of the similarity between televisual programs selected by the users (Col 29: lines 31-55 teaches updating based on viewing history. Col 30: lines 21-24, 34-35, teaches updating based on purchase history. Col 30: lines 45-58 teaches generating an EPG based on viewer profile. Col 30: lines 38-44 teaches similar viewer profiles from other users {also includes other users purchases and viewing selections} are compared and based on comparison analysis it can determine the subjects, theme, movie, episode, etc that the viewer would be interested in).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rauch and Merjanian to include adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, to the EPG to be commonly provided to all the users, on the basis of the similarity between televisual programs selected by the users, as taught by Alexander, for the advantage of identifying a greater variety of programs that will suit the needs of the viewers and presenting them with pertinent programming information.

Consider **claim 13**, Rauch et al. teaches a system for providing additional

services, comprising:

an apparatus for providing additional services, including:

electronic program guide (EPG) generation unit configured to generate an

EPG in which televisual programs to be provided are classified into classified

categories based on viewer features according to tastes of users (The

information is arranged in an "adaptively learned order" arranging topics such as

show, actor, director, etc as stated in col 12: lines 25-29 is the same as the

claimed classified categories. It is according to tastes of users because it is

arranged according to the frequency of previous selections as stated in col 2:

lines 28-31 and col 3: lines 41-63. Furthermore "selection patterns can be

monitored... channel entries rearranged based on the results of that monitoring"

as stated in col 6: lines 52-57 allowing the device to know viewer preferences) to

allow selection of a televisual program in accordance with the classified

categories based on viewer features (As stated in col 2: lines 35-46, "the user

can select a television program perceptively by viewing the adaptively ordered

schedule layout" via a selection program col 5: lines 14-17, wherein "adaptively

ordered" also stated in col 12: lines 25-29 is the same as the claimed classified

categories explained previously above); and

an update unit (col 9: lines 46-49 discloses the schedule information

resides at the cable source and is obtained as needed by the computer 100 in

real time) configured to update the EPG on the basis of a similarity between

televisual programs selected by the users (The information is arranged in an

"adaptively learned order" arranging topics such as show, actor, director, etc as

stated in col 12: lines 25-29 is the same as the claimed classified categories. It is

according to tastes of users because it is arranged according to the frequency of

previous selections as stated in col 2: lines 28-31 and col 3: lines 41-63.

Furthermore "selection patterns can be monitored... channel entries rearranged

based on the results of that monitoring" as stated in col 6: lines 52-57 allowing

the device to know viewer preferences); and

an audiovisual apparatus for presenting televisual programs (Fig. 1),

including:

a reception unit (tuner 115, computer 100) configured to receive the EPG

provided from said apparatus for providing additional services, together with

contents information of the televisual program or independently of the contents

information (The claimed contents information is shown "in an adaptively learned

ordered schedule layout at the same time as both the textual and graphic

description as stated in col 2: lines 35-46, wherein "adaptively ordered" also

stated in col 12: lines 25-29 is the same as the claimed classified categories

explained previously above);

a generation unit (graphics display generator 157) configured to generate

a program selection window (The claimed program selection window is disclosed

in col 4: lines 54-61, col 5: lines 13-18. The "selection program" is displayed by

the picture-in-graphics processor 155) for causing a user to select a desired

program in accordance with the classified categories based on viewer features

(As stated in col 2: lines 35-46, "the user can select a television program

perceptively by viewing the adaptively ordered schedule layout" via a selection

program col 5: lines 14-17, wherein "adaptively ordered" also stated in col 12:

lines 25-29 is the same as the claimed classified categories explained previously

above) on the basis of the EPG ("Program information" referred to in Rauch is

the same as the claimed EPG because it contains program name, time of

broadcast, channel indicator and description of each television program as stated

in col 5: lines 6-8) received by said reception unit (tuner 115, computer 100); and

a selection unit configured to cause the user to select a televisual program

to be reproduced or recorded from the program selection window (The claimed

program selection window is displayed by the television 130, the claimed

selection unit is disclosed as a input device in conjunction with the program

selection window, and the program can be reproduced [displayed] and recorded

as stated in col 5: lines 11-18).

Rauch does not explicitly teach a personal authentication unit arranged at

a portion where a finger of a viewer comes into contact with a remote controller;

wherein said update unit includes:

means for adding televisual programs from other than a classified

category, based on contents of transactions for goods made by another user

having a taste similar to that of a user, to the EPG to be commonly provided to all

the users, on the basis of the similarity between televisual programs selected by the users.

In the same field of endeavor, Merjanian teaches a personal authentication unit (Fig. 7) arranged at a portion where a finger of a viewer comes into contact with a remote controller (col 8: lines 8-22 discloses that "the platen 30 is exposed so that finger print data may be acquired from the operator's digit 32").

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Rauch's system to include a personal authentication unit arranged at a portion where a finger of a viewer comes into contact with a remote controller, as taught by Merjanian, for the advantage of allowing for authentication of various users, providing users with their personal preferences on what they prefer to view (Merjanian - col 3: lines 27-53), making the program selection process easier and less cumbersome for the user.

Rauch and Merjanian do not explicitly teach wherein said update unit includes:

means for adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, to the EPG to be commonly provided to all the users, on the basis of the similarity between televisual programs selected by the users.

In an analogous art, Alexander teaches means for adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, to the EPG to be commonly provided to all the users, on the basis of the similarity between televisual programs selected by the users (Col 29: lines 31-55 teaches updating based on viewing history. Col 30: lines 21-24, 34-35, teaches updating based on purchase history. Col 30: lines 45-58 teaches generating an EPG based on viewer profile. Col 30: lines 38-44 teaches similar viewer profiles from other users {also includes other users purchases and viewing selections} are compared and based on comparison analysis it can determine the subjects, theme, movie, episode, etc that the viewer would be interested in).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rauch and Merjanian to include adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, to the EPG to be commonly provided to all the users, on the basis of the similarity between televisual programs selected by the users, as taught by Alexander, for the advantage of identifying a greater variety of programs that will suit the needs of the viewers and presenting them with pertinent programming information.

Consider **claim 16**, an article of manufacture, comprising:

a computer usable medium having computer readable program code

(memory 150) means embodied therein for causing a user to select a provided

televisual program in accordance with a taste of the user (As stated in col 2: lines

35-46, "the user can select a television program perceptively by viewing the

adaptively ordered schedule layout" via a selection program col 5: lines 14-17,

wherein "adaptively ordered" is categories), the computer readable program code

means in said article of manufacture comprising:

computer readable program code means for causing a computer to

receive an electronic program guide (EPG) ("Program information" referred to in

Rauch is the same as the claimed EPG because it contains program name, time

of broadcast, channel indicator and description of each television program as

stated in col 5: lines 6-8) in which televisual programs to be provided are

classified into classified categories based on viewer features according to tastes

of users (The information is arranged in an "adaptively learned order" arranging

topics such as show, actor, director, etc as stated in col 12: lines 25-29 is the

same as the claimed classified categories. It is according to tastes of users

because it is arranged according to the frequency of previous selections as

stated in col 2: lines 28-31 and col 3: lines 41-63. Furthermore "selection

patterns can be monitored... channel entries rearranged based on the results of

that monitoring" as stated in col 6: lines 52-57 allowing the device to know viewer

preferences) to allow selection of a televisual program in accordance with the

classified categories based on viewer features (As stated in col 2: lines 35-46,

"the user can select a television program perceptively by viewing the adaptively

ordered schedule layout" via a selection program col 5: lines 14-17, wherein

"adaptively learned order" also stated in col 12: lines 25-29 is the same as the

claimed classified categories explained previously above); and

computer readable program code means for causing the computer to

update the EPG on the basis of a similarity between televisual programs selected

by the users (Col 9: lines 46-49 discloses the schedule information resides at the

cable source and is obtained as needed by the computer 100 in real time. The

only difference here is that the information can be taken whenever it's needed,

but it still falls within the same embodiment where "selection patterns can be

monitored... channel entries rearranged based on the results of that monitoring"

as stated in col 6: lines 52-57);

Rauch does not explicitly teach computer readable program code means

or causing a computer to perform personal authentication of a user;

wherein said computer readable program code means for causing the

computer to update the EPG includes:

computer readable program code means for adding televisual programs

from other than a classified category, based on contents of transactions for

goods made by another user having a tast similar to that of a user, to the EPG to

be commonly provided to all the users, on the basis of similarity between

televisual programs selected by the users.

In the same field of endeavor, Merjanian teaches a set top box. Merjanian also teaches computer readable program code means or causing a computer to perform personal authentication of a user (col 9: lines 16-18 discloses the use of different items possible to perform matching to identify the user. Part of the authentication is programmed in software into the set-top box col 11: lines 26-28. col 11: lines 30-43 describe the authentication process used to authenticate the user).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Rauch's system to include causing a computer to perform personal authentication of a user, as taught by Merjanian, for the advantage of allowing for authentication of various users, providing users with their personal preferences on what they prefer to view (Merjanian - col 3: lines 27-53), making the program selection process easier and less cumbersome for the user.

Rauch and Merjanian do not explicitly teach wherein said computer readable program code means for causing the computer to update the EPG includes:

computer readable program code means for adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, to the EPG to be commonly provided to all the users, on the basis of similarity between televisual programs selected by the users.

In an analogous art, Alexander teaches means for adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, to the EPG to be commonly provided to all the users, on the basis of the similarity between televisual programs selected by the users (Col 29: lines 31-55 teaches updating based on viewing history. Col 30: lines 21-24, 34-35, teaches updating based on purchase history. Col 30: lines 45-58 teaches generating an EPG based on viewer profile. Col 30: lines 38-44 teaches similar viewer profiles from other users {also includes other users purchases and viewing selections} are compared and based on comparison analysis it can determine the subjects, theme, movie, episode, etc that the viewer would be interested in).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rauch and Merjanian to include adding televisual programs from other than a classified category, based on contents of transactions for goods made by another user having a taste similar to that of a user, to the EPG to be commonly provided to all the users, on the basis of the similarity between televisual programs selected by the users, as taught by Alexander, for the advantage of identifying a greater variety of programs that will suit the needs of the viewers and presenting them with pertinent programming information.

Consider **claim 14**, Rauch et al. teaches said apparatus for providing

additional services comprises:

similar-program calculation means for collecting information associated

with selected programs (The schedule layout is arranged according to the

frequency of previous selections as stated in col 2: lines 28-31 and col 3: lines

41-63 meaning that previous information was collected from the "previous

selections." Furthermore "selection patterns can be monitored... channel entries

rearranged based on the results of that monitoring" as stated in col 6: lines 52-57

allowing the device to collect information on viewer preferences) from said

audiovisual apparatus (Fig. 1) for presenting televisual programs to calculate

similar programs, and said audiovisual apparatus for presenting televisual

programs (Fig. 1) comprises:

recommended program presentation (The program presentation [schedule

layout] is arranged in an "adaptively learned order" arranging topics such as

show, actor, director, etc as stated in col 12: lines 25-32) means for presenting

the similar programs calculated by said similar program calculation means as

recommended programs for the user (It is according to tastes of users because it

is arranged according to the frequency of previous selections as stated in col 2:

lines 28-31 and col 3: lines 41-63. Furthermore "selection patterns can be

monitored... channel entries rearranged based on the results of that monitoring"

as stated in col 6: lines 52-57 allowing the device to know viewer preferences).

Consider **claim 15**, Alexander further teaches a means for collecting information of goods purchased on a network (purchase history information are gathered and analyzed as disclosed in col 29: lines 50-55 and col 30: lines 17-25) and calculating the similarity (User profiles are compared to profiles of others to determine if the user might be interested in a particular "subject, product, theme, movie, episode, etc" col 30: lines 38-44) by using the information as a material for judging the taste of the user together with a keyword representing a feature of a televisual program (col 30: lines 17-44 discloses analyzing viewer buying history and determining the programs to present to the user), which is obtained from event information (EIT) attached to contents of the televisual program (profile gathers information from the internet col 30: lines 1-16 and is used to generate an EPG col 30: lines 45-58. The EIT in this case is the related information that can be accessed via the EPG or World Wide Web pertaining to the telecast and also related to the user's preferences).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rauch, Merjanian, and Alexander, to include a means for collecting information of goods purchased on a network and calculating the similarity by using the information as a material for judging the taste of the user together with a keyword representing a feature of a televisual program, which is obtained from event information (EIT) attached to contents of the televisual program, as further taught by Alexander, for the advantage of presenting

products and programs that are of related to the interests of the viewer, keeping

his attention and helping to better satisfy their viewing desires.

Consider **claim 17,** Rauch, Merjanian, and Alexander teaches a window

generating unit configured to generate a program guide window that includes

only a list of program categories such that the viewer can select one of the listed

program categories prior to selecting a program within the select program

category (Rauch – Col 11: lines 53-67, Col 12: lines 7-11).

5.   **Claim 11** is rejected under 35 U.S.C. 103(a) as being unpatentable over Rauch

et al. (US 5,731,844) as applied to **claim 5** above, in view of Merjanian (US 5,92,642),

in view of Alexander (US 6,177,931), and further in view of Lawler (US 5,758,259).

Consider **claim 11,** Rauch, Merjanian, and Alexander teaches said update

unit (Rauch - col 9: lines 46-49) comprises:

Rauch, Merjanian, and Alexander do not explicitly teach a means for

analyzing video data, calculating an appearance time of each performer, and

accumulating a numerical value corresponding to the appearance time of the

performer in place of a keyword representing a feature of contents of a televisual

program to calculate a weight coefficient of the performer, thereby calculating the

similarity.

In the same field of endeavor, Lawler teaches a means for analyzing video data, calculating an appearance time of each performer, and accumulating a numerical value corresponding to the appearance time of the performer in place of a keyword representing a feature of contents of a televisual program to calculate a weight coefficient of the performer, thereby calculating the similarity (Lawler discloses the preference database was created by previous programs selected by the viewer and a numerical value is calculated for each name, genre, subgenre, and team, and the matching programs are generated and sent to the user col 7: line 62 – col 8: line 34).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rauch, Merjanina, and Alexander to include, the appearance time of a performer calculated and making a numerical value and calculating the similarity using the weight of the number, as taught by Lawler, in order to present programs with performers that would be tailored to the viewer's preferences, that would better grab and retain the viewer's interest.

6.   **Claims 7 and 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rauch et al. (US 5,731,844) as applied to **claim 5** above, in view of Merjanian (US 5,92,642), in view of Alexander (US 6,177,931), and further in view of Wilkins (US 5,446,919).

Consider **claim 7,** Rauch, Merjanian, and Alexander teaches means for collecting contents of transactions for goods purchases, and for adding televisual programs from other than a classified category based on viewer features selected by another user having a taste similar to that of a user to the EPG to be commonly provided to all users, on the basis of the similarity between the taste of the user and a televisual program (Col 29: lines 31-55 teaches updating based on viewing history. Col 30: lines 21-24, 34-35, teaches updating based on purchase history. Col 30: lines 45-58 teaches generating an EPG based on viewer profile. Col 30: lines 38-44 teaches similar viewer profiles from other users {also includes other users purchases and viewing selections} are compared and based on comparison analysis it can determine the subjects, theme, movie, episode, etc that the viewer would be interested in).

Rauch, Merjanian, and Alexander does not explicitly teach the transactions for goods purchase are by mail order.

In the same field of endeavor, Wilkins teaches collecting contents of transactions for goods purchases by mail orders (col 4: lines 11-28 discloses that "mail-order purchase records" can be compiled to be used as information. This information can be used to form a "master database" disclosed in col 8: lines 15-29 where the mail-order information contents can be collected and stored).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rauch, Merjanian, and Alexander, to include purchases in the form of mail order, as taught by Wilkins, for the advantage of

enabling viewers including but not limited to those that are reluctant to submit information electronically and/or more familiar with the mailing system to submit purchase information via mail after seeing an infomercial on TV.

Consider **claim 8**, Rauch, Merjanian, and Lawler teaches said update unit (Rauch - col 9: lines 46-49) comprises:

collecting contents of transactions for goods purchases, for selecting a televisual program on the basis of the similarity between the taste of a user and a televisual program, and for adding televisual programs other than a classified category based on viewer features to the classified category based on viewer features in the EPG to be commonly provided to all users (Col 29: lines 31-55 teaches updating based on viewing history. Col 30: lines 21-24, 34-35, teaches updating based on purchase history. Col 30: lines 45-58 teaches generating an EPG based on viewer profile. Col 30: lines 38-44 teaches similar viewer profiles from other users {also includes other users purchases and viewing selections} are compared and based on comparison analysis it can determine the subjects, theme, movie, episode, etc that the viewer would be interested in).

Rauch, Merjanian, and Alexander does not explicitly teach the transactions for goods purchase are by mail order.

In the same field of endeavor, Wilkins teaches collecting contents of transactions for goods purchases by mail orders (col 4: lines 11-28 discloses that

"mail-order purchase records" can be compiled to be used as information. This

information can be used to form a "master database" disclosed in col 8: lines 15-

29 where the mail-order information contents can be collected and stored).

Therefore, it would have been obvious to a person of ordinary skill in the

art to modify the system of Rauch, Merjanian, and Alexander, to include

purchases in the form of mail order, as taught by Wilkins, for the advantage of

enabling viewers including but not limited to those that are reluctant to submit

information electronically and/or more familiar with the mailing system to submit

purchase information via mail after seeing an infomercial on TV.

7.   **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Rauch et

al. (US 5,731,844) as applied to **claim 5** above, in view of Merjanian (US 5,92,642), in

view of Alexander (US 6,177,931), and further in view of Borseth (US 6,340,997).

Consider **claim 9**, Rauch, Merjanian, and Alexander teaches said update

unit (Rauch - col 9: lines 46-49), but does not explicitly teach means for analyzing

a closed caption to extract a keyword representing a feature of contents of a

televisual program, thereby calculating the similarity.

In the same field of endeavor, Borseth teaches means for analyzing a

closed caption to extract a keyword representing a feature of contents of a

televisual program, thereby calculating the similarity (col 9: lines 40-51 disclose

that the VBI data can include closed captioning information that can be used to

create or update an electronic program guide. An EPG contains information about the content like time, channel, genre, etc pertaining to the televisual programs. Since an EPG can be created by the closed caption data keyword(s) can be extracted from the closed caption data).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rauch, Merjanian, and Alexander, to include updating the EPG based on closed captioning text, as taught by Borseth, for the advantage of providing program data to the deaf community for updating their EPG.

8.   **Claim 10** is rejected under 35 U.S.C. 103(a) as being unpatentable over Rauch et al. (US 5,731,844) as applied to **claim 5** above, in view of Merjanian (US 5,92,642), in view of Alexander (US 6,177,931), and further in view of Schindler (US 5,995,155).

Consider **claim 10, as applied to claim 6 above**, Rauch, Merjanian, and Alexander teaches said update unit (Rauch - col 9: lines 46-49), but does not explicitly teach means for recognizing audio data in a transmission signal of a televisual program, converting the audio data into a text, and extracting a keyword representing a feature of contents of the televisual program from the text, thereby calculating the similarity.

In the same field of endeavor, Schindler teaches means for recognizing audio data in a transmission signal of a televisual program ("recognizes at least a few words from current television programming" col 13: lines 20-25), converting

the audio data into a text ("speech recognition circuitry is used to convert speech

to text..." col 4: line 35), and extracting a keyword representing a feature of

contents of the televisual program from the text, thereby calculating the similarity

(col 13: lines 12-20 describes an auto surf function that can extract keyword[s]

from the closed captioning of a televisual program alerting the user to desired

programming. Where closed captioning information is unavailable speech to text

recognition is used in its place to get the textual information as stated in col 13:

lines 20-25).

Therefore, it would have been obvious to a person of ordinary skill in the

art to modify the system of Rauch, Merjanian, and Alexander to update the EPG

based on speech to text recognition circuitry, as taught by Schindler, for the

advantage of providing program data to the deaf community for updating their

EPG.

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jason K. Lin whose telephone number is (571)270-

1446. The examiner can normally be reached on Mon-Fri, 9:00AM-6:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Christopher Grant can be reached on (571)272-7294. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

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Status information for unpublished applications is available through Private PAIR only.

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason Lin

08/03/2007

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